

May 25, 2022

The Honorable John Michael Vazquez  
United States District Judge  
District of New Jersey  
Martin Luther King Building & U.S. Courthouse  
50 Walnut Street  
Newark, NJ 07101

*Re: Federal Trade Commission v. Hackensack Meridian Health, Inc. and Englewood Healthcare Foundation*, No. 2:20-cv-18140

Dear Judge Vazquez:

The parties jointly write in response to the Court's May 18, 2022 order. The status of this action, and the related administration action before the Federal Trade Commission, is as follows:

1. On March 31, 2022, the Defendants agreed to jointly abandon their proposed merger that was the subject of the preliminary injunction action before this Court. On April 5, 2022, the Defendants formally terminated their merger agreement and withdrew their respective Hart-Scott-Rodino Act notification forms, ending the HSR regulatory review of the proposed transaction.
2. On April 5, 2022, the Defendants filed a motion to dismiss the complaint in the administrative action in full with the Commission (which counsel for the Bureau of Competition concurrently filed together with the Complaint in this action), because HMH and Englewood terminated their merger agreement and abandoned the transaction.
3. Also on April 5, 2022, counsel for the Bureau of Competition filed a motion to withdraw the matter from adjudication so that the Commission could assess whether further relief sought in the administrative complaint is warranted considering the Defendants' decision to terminate their merger agreement and abandon the proposed transaction.
4. On May 24, 2022, the Commission withdrew the administrative action from adjudication for 60 days (until July 25, 2022); accordingly, the administrative action is not currently pending.

The parties can provide further updates on the status of the administrative action at the Court's convenience.

Dated: May 25, 2022

s/Jonathan Lasken

Jonathan Lasken  
Rohan Pai

Respectfully Submitted,

s/Paul H. Saint-Antoine

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